

**REMARKS**

Claims 1-23 were originally filed in the present application.

Claims 1-23 are pending in the present application.

Claims 1-6, 11-16 and 21-23 were rejected in the October 30, 2007 Office Action.

Claims 7-10 and 17-20 were objected to in the October 30, 2007 Office Action.

No claims have been allowed.

Claims 1, 3-5, 11, 13-15 and 21-22 are amended herein.

Claims 1-23 remain in the present application.

Reconsideration of the claims is respectfully requested.

**I. CLAIM OBJECTIONS**

The Examiner rejected Claims 1, 11 and 21 based on the use of the phrase “capable of,” which the Examiner asserts does not limit the claim with regard to the element following this phrase. Office Action, page 2. Applicant has amended the claims as suggested by the Examiner to expedite issuance of the Application. Accordingly, Applicant respectfully requests that these claim objections be withdrawn.

**II. REJECTION UNDER 35 U.S.C. § 112**

The Examiner rejected Claims 3-10, 13-20 and 22 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter because

of the word “substantially” in Claims 3, 13 and 22. Claims 4-10 and 12-20 were rejected as being dependent upon Claims 3 and 13, respectively, based on the same issue of indefiniteness. The Applicant has amended Claims 3, 13 and 22 to remove the word “substantially.” Accordingly, the Applicant respectfully requests that the Section 112 rejection be withdrawn.

### III. REJECTION UNDER 35 U.S.C. § 102

The Examiner rejected Claims 1-6, 11-16 and 21-23 under 35 U.S.C. §102(b) as being anticipated by U. S. Patent No. 6,393,026 to *Irwin* (“*Irwin*”). Of these, Claims 1, 11 and 21 are independent. These rejections are respectfully traversed for the reasons discussed below.

A prior art reference anticipates a claimed invention under 35 U.S.C. § 102 only if every element of the claimed invention is identically shown in that single reference, arranged as they are in the claims. (*MPEP* § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990)). Anticipation is only shown where each and every limitation of the claimed invention is found in a single prior art reference. (*MPEP* § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985)).

The Applicant respectfully submits that *Irwin* fails to disclose, teach or suggest control processing circuitry that comprises “a first network processor configured to perform a first group of control and management functions, wherein the control and management functions in the first group are determined based on contents of a first configuration register of the first network processor; and a second network processor configured to perform a second group of control and management

functions, wherein the control and management functions in the second group are determined based on contents of a second configuration register of the second network processor,” as recited by independent Claim 1, as amended.

To show the claimed configuration registers, the Examiner cites *Irwin*’s program counter. Office Action, page 6 (with reference to the rejection of Claims 4 and 14). However, the program counter of *Irwin* simply “defines a main program flow in the main forwarding program that is executed for the packet to select an output queue of the router for routing the packet.” Col. 6, lines 8-11. Thus, procedural calls that are “driven from the main forwarding program are sent from the master node to the processor array of slave nodes” as the program counter is stepped through. Col. 6, lines 17-20. As described by *Irwin*:

As the response is returned to the master node for each procedural call sent to the slave nodes, the program counter at the master node is allowed to increment or branch within the main forwarding program. Stepping through the program counter, an output queue of the router is selected for routing the packet.

Col. 6, lines 26-31. *Irwin* also states that, as the results of each procedural call are returned from the slave node to the master node, “the program counter is advanced to the next instruction in the program flow of the main forwarding program.” Col. 8, lines 10-12. Therefore, *Irwin* appears to teach that the program counter is simply a pointer to instructions that make up the main forwarding program.

In contrast, the first group of control and management functions includes functions determined based on the contents of the first configuration register, while the second group includes functions determined based on the contents of the second configuration register. The contents of the

claimed configuration registers are thus used to determine which functions are included in each group. not to step through the instructions in a program.

In addition, each configuration register is part of a corresponding network processor. For example, the first configuration register is claimed as “a first configuration register of the first network processor.” The cited program counter, on the other hand, is assigned to a packet and is not associated with any one of the computing nodes (which were cited to show the claimed processors). As described in *Irwin*, “[a]s each data packet enters the data packet processing system, a program counter is assigned to the packet for the duration of the time the packet is held in the data packet processing system.” Col. 6, lines 5-8. In addition, *Irwin* teaches that different computing nodes may be responsible for executing different procedures for a particular packet such that “the procedures are executed in parallel.” Col. 8, line 8. Thus, as one program counter is provided for each packet and multiple computing nodes provide parallel processing for that packet, *Irwin* actually teaches against a program counter that is associated with one particular computing node.

Furthermore, the Examiner cites the same program counter of *Irwin* against both the first configuration register and the second configuration register. Office Action, page 6 (with reference to the rejection of Claims 4/14 and 5/15). Thus, the Examiner has cited no reference in *Irwin* to show a first program counter for a first computing node and a separate, second program counter for a second computing node. In contrast, the claimed configuration registers are distinct from each other: “a first configuration register of the first network processor” and “a second configuration register of the second network processor.” Therefore, for at least these reasons, independent Claim 1, as amended,

is not anticipated by the cited art. Therefore, the Applicant respectfully submits that this rejection should now be withdrawn.

Similar to independent Claim 1, independent Claim 11 has been amended to recite “a first network processor configured to perform a first group of control and management functions, wherein the control and management functions in the first group are determined based on contents of a first configuration register of the first network processor; and a second network processor configured to perform a second group of control and management functions, wherein the control and management functions in the second group are determined based on contents of a second configuration register of the second network processor,” and independent Claim 21 recites “performing a first group of control and management functions in a first network processor, wherein the control and management functions in the first group are determined by the contents of a first configuration register of the first network processor” and “performing a second group of control and management functions in a second network processor, wherein the control and management functions in the second group are determined by the contents of a second configuration register of the second network processor.” Accordingly, for the reasons discussed above in connection with Claim 1, independent Claims 11 and 21 are not anticipated by the cited art. Therefore, the Applicant respectfully submits that these rejections should now be withdrawn.

Dependent Claims 2-6, which depend from independent Claim 1, dependent Claims 12-16, which depend from independent Claim 11, and dependent Claims 22-23, which depend from independent Claim 21, are also not anticipated by the cited art because they include the limitations of

their respective base claims and add additional elements that further distinguish the art. Therefore, the Applicant respectfully submits that these rejections should now be withdrawn.

The Applicants also disagree with the Examiner's rejections of Claims 1-6, 11-16 and 21-23 based on additional misdescriptions and/or misapplications of *Irwin* to at least some of Claims 1-6, 11-16 and 21-23. However, the Applicant's arguments regarding those other shortcomings of *Irwin* are moot in view of the Claim 1 arguments above. However, the Applicants reserve the right to dispute in future Office Action responses the appropriateness and the applications of *Irwin* to the claims of the present application, including the right to dispute assertions made by the Examiner in the October 30, 2007 Office Action.

#### IV. ALLOWABLE SUBJECT MATTER

The Examiner objected to Claims 7-10 and 17-20 in the October 30, 2007 Office Action as being dependent upon a rejected base claim, but stated they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant thanks the Examiner for this suggestion but elects not to rewrite Claims 7-10 and 17-20 at this time.

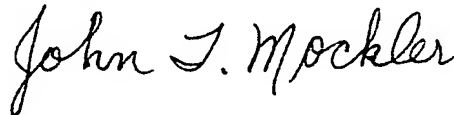
**SUMMARY**

For the reasons given above, the Applicants respectfully request reconsideration and allowance of the pending claims and that this application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicants respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@munckbutrus.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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